

JS 44 (Rev. 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Kathleen Makowka

(b) County of Residence of First Listed Plaintiff Chester
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

John Neumann Hickey, Esq./Law Office of John
Neumann Hickey, 20 W. Front Street, Media, PA 19063
610-891-8883

DEFENDANTS

PrimeFlight Aviation Services, Inc.

County of Residence of First Listed Defendant Delaware/Texas
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Nathan Bohlander, Esq./Morgan & Akins, PLLC
30 S. 15th Street, Suite 701, Philadelphia, PA 19102
215-305-8223

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☒ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 IIIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity)
28 U.S.C. §§ 1332 and 1441

Brief description of cause:
Personal injury action between diverse parties

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

March 2, 2021

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Kathleen Makowka	:	CIVIL ACTION
	:	
v.	:	
PrimeFlight Aviation Services, Inc.	:	NO.
	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

<u>03/02/2021</u>	<u>Nathan Bohlander, Esquire</u>	<u>PrimeFlight Aviation Services, Inc.</u>
Date	Attorney-at-law	Attorney for
<u>215-305-8223</u>	<u>215-600-1303</u>	<u>nbohlander@morganakins.com</u>
Telephone	FAX Number	E-Mail Address

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 113 Schilling Avenue, Malvern, PA 19355
Address of Defendant: Three Sugar Creek Center, Suite 450, Sugar Land, TX 77478
Place of Accident, Incident or Transaction: Philadelphia International Airport, 8000 Essington Ave, Philadelphia, PA 19153


RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 03/02/2021  312509
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
☐ 2. FELA
☐ 3. Jones Act-Personal Injury
☐ 4. Antitrust
☐ 5. Patent
☐ 6. Labor-Management Relations
☐ 7. Civil Rights
☐ 8. Habeas Corpus
☐ 9. Securities Act(s) Cases
☐ 10. Social Security Review Cases
☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
☐ 2. Airplane Personal Injury
☐ 3. Assault, Defamation
☐ 4. Marine Personal Injury
☐ 5. Motor Vehicle Personal Injury
☒ 6. Other Personal Injury (Please specify): Alleged assault
☐ 7. Products Liability
☐ 8. Products Liability – Asbestos
☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
☐ Relief other than monetary damages is sought.

DATE: _____ Sign here if applicable _____
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KATHLEEN MAKOWKA

V.

**PRIMEFLIGHT AVIATION
SERVICES, INC.**

:
:
:
:
:
:
:
:
:
:

CIVIL ACTION

NO:

**NOTICE OF REMOVAL OF DEFENDANT,
PRIMEFLIGHT AVIATION SERVICES, INC.**

Defendant, PrimeFlight Aviation Services, Inc. (hereinafter “Removing Defendant”), by and through its attorneys, Morgan & Akins, PLLC, via this Notice of Removal (hereinafter “Notice”) hereby removes the above-captioned action from the Court of Common Pleas of Philadelphia County, Trial Division, Civil, No. 201001749, to the United States District Court for the Eastern District of Pennsylvania, pursuant to 28 U.S.C. §§ 1332 and 1441, and in support thereof states as follows:

Notice Timely Filed

1. Plaintiff commenced the above-referenced action by the filing of a Complaint (hereinafter “Complaint”) on February 16, 2021. (A true and correct copy of Plaintiff’s Complaint is attached hereto as Exhibit “A.”)

2. This Notice is timely because it is filed within thirty (30) days of Removing Defendant’s receipt of a “pleading, motion, order or other paper from which it may first be ascertained” that the action is removable. 28 U.S.C §1446(b). (*See* Exhibit “A”)

3. The Complaint was filed on February 16, 2021. (*See* Exhibit “A”)

5. As such, pursuant to 28 U.S.C §1446(b), the parties' initial deadline for removal is March 18, 2021, and this Notice is timely filed.

Diversity of Citizenship

6. As set forth more fully below, complete diversity of citizenship exists between Plaintiff (Pennsylvania) and Removing Defendant (Delaware and Texas).

7. "A natural person is deemed to be a citizen of the state where he is domiciled." *Swiger v. Allegheny Energy, Inc.*, 540 F.3d 179, 182 (3d Cir. 2008).

8. Likewise, a "corporation is a citizen both of the state where it is incorporated and of the state where it has its principal place of business." *Zambelli Fireworks Mfg. Co. v. Wood*, 592 F.3d 412, 419 (3d Cir. 2010); *see* 28 U.S.C. § 1332(c)(1).

9. At the time Plaintiff's Complaint was filed, as well as the time this Notice is being filed, Plaintiff, Kathleen Makowka, is a citizen of Pennsylvania, as her domicile is in Malvern, PA. (*See* Exhibit "A.")

10. At the time Plaintiff's Complaint was filed, as well as the time this Notice is being filed, Removing Defendant was and is incorporated in the State of Delaware with its principal place of business in Texas. (A true and correct copy of Removing Defendant's business details is attached hereto as Exhibit "B.")

Amount in Controversy

11. The amount in controversy in the instant matter exceeds Seventy-Five Thousand dollars (\$75,000.00), exclusive of interest and costs.

12. In her Complaint, Plaintiff alleges that she suffered injuries, including a "chipped clavicle," causing her "great pain," "severe physical pain," and "extreme pain." (*See* Exhibit "A.")

13. Plaintiff alleges that, as a result of the subject incident, she was “in shock” and suffered “severe emotional distress.” (*See* Exhibit “A.”)

14. Plaintiff alleges that, due to the foregoing mental/emotional and physical injuries, she “has sustained, and will continue to sustain[,] pain and suffering [and] impairment of functions.” (*See* Exhibit “A.”)

15. Plaintiff alleges that, as a result of the subject incident, she has incurred “expenses for medication and medical attention” and “los[t] earnings and earning capacity.” (*See* Exhibit “A.”)

16. To the best of Removing Defendant’s knowledge, at the time of the subject incident, as well as at present, Plaintiff was and is a Senior Marketing Leader at a multinational biopharmaceutical company. (A true and correct copy of Plaintiff’s LinkedIn page is attached hereto as Exhibit “C.”)

17. Given the foregoing, to the best of Removing Defendant’s knowledge, Plaintiff’s claimed past wage loss and future loss of earning capacity will be substantial.

18. Accordingly, considering Plaintiff’s alleged physical pain and suffering, emotional distress, impairment of bodily functions, medical expenses, and loss of past wages and future earning capacity, the amount in controversy meets the requirement of 28 U.S.C. §1332(a).

Conclusion

19. As Plaintiff and Removing Defendant are citizens of different states, and as the amount in controversy in this case is in excess of \$75,000, this Court may exercise jurisdiction over this matter pursuant to 28 U.S.C. §1332(a)(1).

20. This action may be removed to this Court by the Removing Defendant pursuant to 28 U.S.C. §1441(a), in that this case was initially brought in a state court within the geographical

area of the Eastern District of Pennsylvania. Resultantly, this Court has jurisdiction pursuant to 28 U.S.C. §1332(a)(1).

21. Removing Defendant has given written notice of the filing of this Notice pursuant to 28 U.S.C. §1446(d), by filing this Notice with the Court of Common Pleas of Philadelphia County and by giving written notice to counsel for Plaintiff.

22. All pleadings, process, orders and other filings in the State Court action are attached to this Notice as required by 28 U.S.C. §1441(a).

WHEREFORE, Defendant, PrimeFlight Aviation Services, Inc., by and through its attorneys, Morgan & Akins, PLLC, via this Notice of Removal, hereby removes the above-captioned action from the Court of Common Pleas of Philadelphia County, Trial Division, Civil, No. 201001749, to the United States District Court for the Eastern District of Pennsylvania, pursuant to 28 U.S.C. §§ 1332 and 1441.

Respectfully submitted,

MORGAN & AKINS, PLLC

BY: /s/ Nathan R. Bohlander
PATRICIA J. BAXTER (PA# 83683)
NATHAN R. BOHLANDER (PA# 312509)
The Graham Building
30 S. 15th Street, Suite 701
Philadelphia, PA 19102
(215) 305-8223
pbaxter@morganakins.com
nbohlander@morganakins.com
*Attorneys for Defendant, PrimeFlight
Aviation Services, Inc.*

Dated: March 2, 2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KATHLEEN MAKOWKA

V.

**PRIMEFLIGHT AVIATION
SERVICES, INC.**

:
:
:
:
:
:
:
:
:
:

CIVIL ACTION

NO:

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2021, a copy of the foregoing Notice of Removal was mailed first-class, postage prepaid, to all counsel of record at the following addresses:

John Neumann Hickey, Esquire
Law Office of John Neumann Hickey
20 West Front Street
Media, PA 19063
Counsel for Plaintiff, Kathleen Makowka

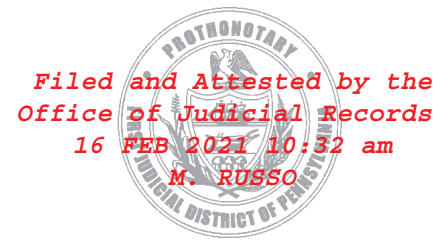
MORGAN & AKINS, PLLC

BY: */s/ Nathan R. Bohlander*
PATRICIA J. BAXTER (PA# 83683)
NATHAN R. BOHLANDER (PA# 312509)
The Graham Building
30 S. 15th Street, Suite 701
Philadelphia, PA 19102
(215) 305-8223
pbaxter@morganakins.com
nbohlander@morganakins.com
*Attorneys for Defendant, PrimeFlight
Aviation Services, Inc.*

Dated: March 2, 2021

EXHIBIT A

LAW OFFICE OF JOHN NEUMANN HICKEY
BY: JOHN NEUMANN HICKEY, ESQUIRE
ATTORNEY ID 61896
20 WEST FRONT STREET
MEDIA, PA 19063
610-891-8883
JNH@HICKEYLAW.NET



Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION

KATHLEEN MAKOWA
113 SHILLING AVE
MALVERN PA 19355

Plaintiffs,

v.

PRIMEFLIGHT AVIATION SERVICES, INC
THREE SUGAR CREEK CENTER
SUITE 450
SUGAR LAND, TX 77478

Defendant,

Jury Trial Demanded
No. 201001749

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

LAWYERS REFERENCE SERVICE
Philadelphia Bar Association,
1101 Market St,
Philadelphia, PA 19107
(215) 238-6333

AVISO

La han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defenses o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas puede continuar la demanda en contra suya previo aviso o notificacion. Ademias, la corte puede 7equire a favor del demandante y 7equire que usted cumpla con todas las provisiones de esta demanda. Usted puede perer dinero o sus propiedades u otros derechos importantes para usted.

Lieva esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por telefono a la oficina cuya direccion se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

LAWYERS REFERENCE SERVICE
Philadelphia Bar Association,
1101 Market St,
Philadelphia, PA 19107
(215) 238-6333

LAW OFFICE OF JOHN NEUMANN HICKEY
BY: JOHN NEUMANN HICKEY, ESQUIRE
ATTORNEY ID 61896
20 WEST FRONT STREET
MEDIA, PA 19063
610-891-8883
JNH@HICKEYLAW.NET

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION

KATHLEEN MAKOWKA
113 SHILLING AVE
MALVERN PA 19355

Plaintiffs,

v.

PRIMEFLIGHT AVIATION SERVICES, INC
THREE SUGAR CREEK CENTER
SUITE 450
SUGAR LAND, TX 77478

Defendant,

:
:
:
:
:
:
:
:
:
:
:

Jury Trial Demanded
No. 201001749

COMPLAINT

Plaintiff Kathleen Makowka, by and through their attorney, John Neumann Hickey, Esq., file the following Complaint, against the above-named defendants upon the following averments of fact:

1. Plaintiff Kathleen Makowka is an adult individual residing at 113 Shilling Ave, Malvern, PA 19355.
2. The Defendant, PrimeFlight Aviation Services, Inc., is a business corporation located at Three Sugar Creek Center, Suite 450, Sugar Land, TX 77478.
3. This action arises from an incident on July 6, 2020 approximately between the hours of 7:00pm through 9:00pm at the American Airlines Baggage Claim Office, Terminal F, Philadelphia International Airport.

4. On July 6, 2020 Plaintiff was at the baggage claim office trying to locate her bag after her flight had been canceled.
5. An employee of the Defendant, Revonna Murray, was asked questions by Plaintiff regarding the location of her bag.
6. Revonna Murray is an agent of the Defendant, acting within the course and scope of her employment with the Defendant.
7. Defendant, by and through their agent, became hostile and was yelling at Plaintiff.
8. Defendant, by and through their agent, left her spot behind the desk, moved around the desk, and proceeded to physically attack Plaintiff, hitting Plaintiff at least one time with 2 fists.
9. As a result, Plaintiff suffered injuries causing her great pain. She was injured, in shock and scared. Plaintiff left the scene after the attack due to fear and pain. She saw a police officer enter the baggage terminal, Plaintiff was still in shock and out of breath. Unable to use her voice to get the officers attention, she waived an officer down and made a report.
10. As a further result, Defendant has caused plaintiff to incur expenses for necessary and reasonable medical treatment.
11. As a further result, Plaintiff has suffered, and will continue to suffer severe physical pain, mental anguish, embarrassment, humiliation, and other incidental costs.

CLAIM I – ASSAULT

12. Plaintiff incorporates here by reference all averments of this Complaint.
13. Defendant, by and through an agent, intended to cause an imminent apprehension of a harmful and/or offensive bodily contact.
14. As a result of Defendant's actions, harmful and offensive bodily contact occurred.

WHEREFORE, Plaintiff prays judgment in excess of \$50,000.00

CLAIM II – BATTERY

15. Plaintiff incorporates here by reference all averments of this complaint.
16. Defendant, by and through an agent, intended to cause harmful and/or offensive contact with Plaintiff.
17. As a direct result, harmful and offensive contact occurred.

WHEREFORE, Plaintiff prays judgment in excess of \$50,000.00

CLAIM III – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

18. Plaintiff incorporates here by reference all averments of this Complaint.
19. Defendant, by and through an agent, acted intentionally and recklessly by yelling at Plaintiff, leaving the desk to get to a closer proximity to Plaintiff, and by punching the Plaintiff in the chest.
20. Defendant's actions were extreme and outrageous.
21. As a direct result, Plaintiff suffered and continues to suffer severe emotional distress.

WHEREFORE, Plaintiff prays judgment in excess of \$50,000.00

CLAIM IV – CORPORATE NEGLIGENCE

22. Plaintiff incorporates here by reference all averments of this complaint.
23. Defendant owed a duty of care to Plaintiff. These duties include but is not limited to, maintaining safe facilities, hiring competent staff, and overseeing competent staff.
24. Defendant breached their duty to Plaintiff in multiple ways, including but not limited to:
 - a. failing to prevent harm to Plaintiff.

- b. failing to hire competent staff.
- c. failing to adequately train and supervise employees and agents.
- d. failing to oversee competent staff.

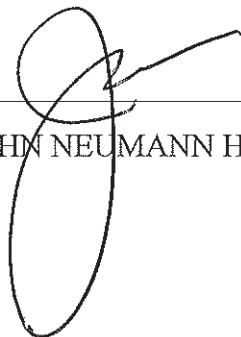
25. As a result of the Defendant's negligence, the plaintiff suffered injuries and impairment of functions, including but not limited to, extreme pain, and a potential chipped clavicle.

26. As a result of the negligence of the defendant, Plaintiff has sustained, and will continue to sustain:

- a. pain and suffering of life's pleasures;
- b. impairment of functions;
- c. loss of earnings and earning capacity; and
- d. expenses for medication and medical attention

WHEREFORE, Plaintiff prays judgment in excess of \$50,000.00

Respectfully Submitted,



JOHN NEUMANN HCKEY

VERIFICATION

I, Kathleen Makowka, hereby verify and say that the statements made in the foregoing documents are true and correct to the best of my knowledge, information, and belief. This verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

A handwritten signature in black ink, appearing to read 'Kathleen Makowka', with a stylized flourish at the end.

Kathleen Makowka

LAW OFFICE OF JOHN NEUMANN HICKEY
BY: JOHN NEUMANN HICKEY, ESQUIRE
ATTORNEY ID 61896
20 WEST FRONT STREET
MEDIA, PA 19063
610-891-8883

JNH@HICKEYLAW.NET

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION

KATHLEEN MAKOWKA
113 SHILLING AVE
MALVERN PA 19355

Plaintiffs,

v.

PRIMEFLIGHT AVIATION SERVICES, INC
THREE SUGAR CREEK CENTER
SUITE 450
SUGAR LAND, TX 77478

Defendant,

:
:
:
:
:
:
:
:
:
:
:

Jury Trial Demanded
No. 201001749

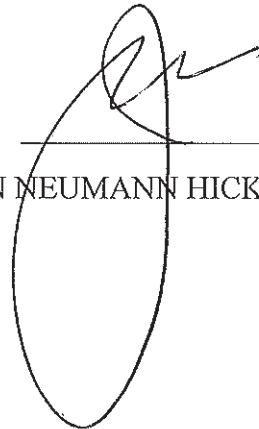
CERTIFICATE OF SERVICE

I, John Neumann Hickey, Esquire, attorney for Plaintiff in the above captioned matter, certify that a true and correct copy of the foregoing **COMPLAINT** was served on the attorneys for the Defendant, Patricia J. Baxter, Esq. and Nathan R. Bohlander, Esq., via Philadelphia's E-filing system.

Date: ~~1/25/21~~

2/15/21

JOHN NEUMANN HICKEY



MORGAN & AKINS, PLLC

BY: /s/ Patricia J. Baxter
/s/ Nathan R. Bohlander

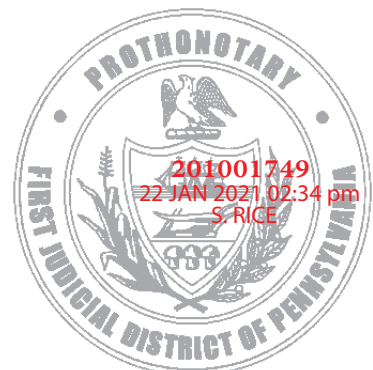
PATRICIA J. BAXTER, ESQUIRE
NATHAN R. BOHLANDER, ESQUIRE
*Attorneys for Defendant, PrimeFlight
Aviation Services, Inc. (incorrectly
designated as "Prime Flight Aviation
Services, Inc.")*

Dated: January 22, 2021

RULE TO FILE COMPLAINT

AND NOW, this ____ day of _____, 2021, a Rule is hereby granted upon Plaintiff to file a Complaint herein within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

PROTHONOTARY



Case ID: 201001749

CERTIFICATE OF SERVICE

I, Nathan R. Bohlander, Esquire, hereby certify that on this 22nd day of January, 2021, I electronically filed the foregoing Praecipe for Rule to File Complaint with the Prothonotary using the Philadelphia County Courts Electronic Filing System, which provides the foregoing Praecipe for Rule to File Complaint to the following party automatically. The following party was also served with the Praecipe for Rule to File Complaint by electronic mail.

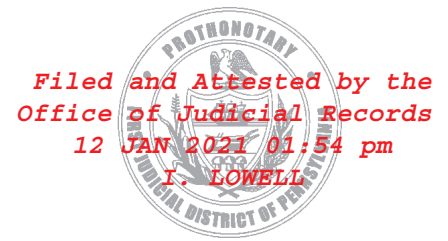
John Neumann Hickey, Esquire
Law Office of John Neumann Hickey
20 West Front Street
Media, PA 19063
Counsel for Plaintiff, Kathleen Makowka

MORGAN & AKINS, PLLC

BY: */s/ Nathan R. Bohlander*

PATRICIA J. BAXTER, ESQUIRE
NATHAN R. BOHLANDER, ESQUIRE
*Attorneys for Defendant, PrimeFlight
Aviation Services, Inc. (incorrectly
designated as "Prime Flight Aviation
Services, Inc.")*

Dated: January 22, 2021



LAW OFFICE OF JOHN NEUMANN HICKEY
BY: JOHN NEUMANN HICKEY
ATTORNEY I.D. NUMBER 61896
20 WEST FRONT STREET
MEDIA PA 19063
(610) 891-8883

Attorney for Plaintiff

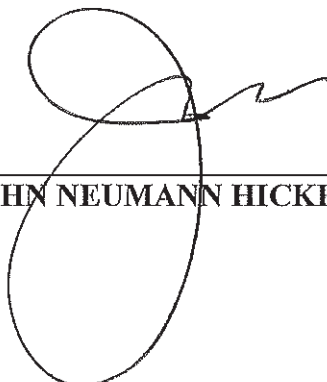
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
CIVIL DIVISION

KATHLEEN MAKOWKA	:	
	:	
Plaintiff	:	No: 201001749
	:	
V.	:	
	:	
PRIME FLIGHT AVIATION SERVICES,	:	
INC.	:	
	:	
Defendant	:	

RETURN OF SERVICE OF WRIT OF SUMMONS UPON DEFENDANT

I, John Neumann Hickey, do hereby verify and say that I did serve the defendant, and out-of-state Corporation, with the Writ of Summons issued in the captioned case by United States Certified Mail Return Receipt Requested on 1/4/2021. See Exhibit A.

Respectfully Submitted,



JOHN NEUMANN HICKEY

Date: 1/12/21

Exhibit A

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>Pamela Light</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>DAN BULARD, CED PRIME FLIGHT AVIATION SERVICES, INC THREE SUGAR CREEK CENTER SUITE 450 SUGAR LAND TX 77478</p>		<p>B. Received by (Printed Name) <i>LOWILLICIA</i></p> <p>C. Date of Delivery <i>11/4/2021</i></p>	
<p>2. Article Number (Transfer from service label) 7020 1810 0001 6790 4783</p>		<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>			
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>	

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
OFFICIAL USE	
<p>Certified Mail Fee \$13.55</p> <p>Extra Services & Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$0.00</p> <p><input type="checkbox"/> Return Receipt (electronic) \$0.00</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$0.00</p> <p><input type="checkbox"/> Adult Signature Required \$0.00</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$0.00</p> <p>Postage \$0.55</p> <p>Total Postage and Fees \$14.10</p>	<p>0063 11/22 Postmark Here 11/30/2020 PRIME</p>
<p>Sent to DAN BULARD CED FLIGHT Street and Apt. No., or PO Box No. THREE SUGAR CREEK CNTR, SUITE 450 City, State, ZIP+4® SUGAR LAND TX 77478</p>	
<p>PS Form 3800, April 2015 PSN 7530-02-000-3047 See Reverse for Instructions</p>	

MORGAN & AKINS, PLLC

BY: /s/ Patricia J. Baxter
/s/ Nathan R. Bohlander

PATRICIA J. BAXTER, ESQUIRE
NATHAN R. BOHLANDER, ESQUIRE
*Entering Attorneys for Defendant,
PrimeFlight Aviation Services, Inc.
(incorrectly designated as "Prime Flight
Aviation Services, Inc.")*

Dated: January 11, 2021

CERTIFICATE OF SERVICE

I, Nathan R. Bohlander, Esquire, hereby certify that on this 11th day of January, 2021, I electronically filed the foregoing Entry of Appearance and Demand for Jury Trial with the Prothonotary using the Philadelphia County Courts Electronic Filing System, which provides the foregoing Entry of Appearance and Demand for Jury Trial to the following party automatically:

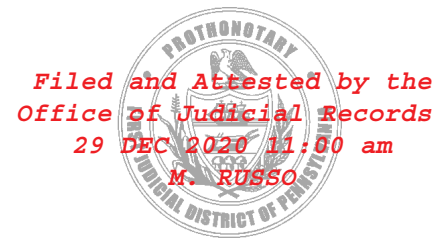
John Neumann Hickey, Esquire
Law Office of John Neumann Hickey
20 West Front Street
Media, PA 19063
Counsel for Plaintiff, Kathleen Makowka

MORGAN & AKINS, PLLC

BY: */s/ Nathan R. Bohlander*
PATRICIA J. BAXTER, ESQUIRE
NATHAN R. BOHLANDER, ESQUIRE
*Entering Attorneys for Defendant,
PrimeFlight Aviation Services, Inc.
(incorrectly designated as "Prime Flight
Aviation Services, Inc.")*

Dated: January 11, 2020

LAW OFFICE OF JOHN NEUMANN HICKEY
BY: JOHN NEUMANN HICKEY
ATTORNEY I.D. NUMBER 61896
20 WEST FRONT STREET
MEDIA PA 19063
(610) 891-8883



Attorney for Plaintiff

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
CIVIL DIVISION

KATHLEEN MAKOWKA	:	
Plaintiff	:	No: 201001749
V.	:	
PRIME FLIGHT AVIATION SERVICES, INC.	:	
Defendant	:	

PRAECIPE TO REISSUE SUMMONS

TO THE PROTHONOTARY:

Kindly reissue the Summons for the above captioned case and forward to ☐ Sheriff or ☒ attorney.

Date: 12/29/20

Respectfully Submitted,



JOHN NEUMANN HICKEY

Filed and Attested by the
Office of Judicial Records
23 Oct 2020 12:53 pm



IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

KATHLEEN MAKOWKA
113 SHILLING AVE
MALVERN PA 19355

Plaintiff

JURY TRIAL DEMANDED
NO:

v.

PRIME FLIGHT AVIATION SERVICES, INC
7135 CHARLOTTE PIKE
SUITE 100
NASHVILLE TN 37209

Defendant

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

Issue summons in civil action in the above case and forward to

☐ Sheriff or ☒ Attorney

John Neumann Hickey

Signature of Attorney / Pro Se

Name: JOHN NEUMANN HICKEY

Address: 20 WEST FRONT STREET
MEDIA, PA 19063

Telephone: (610) 891-8883

Date: 10/23/2020

Attorney Supreme Court ID Number: 61896

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

KATHLEEN MAKOWKA
113 SHILLING AVE
MALVERN PA 19355

Plaintiff

JURY TRIAL DEMANDED
NO:

v.

PRIME FLIGHT AVIATION SERVICES, INC
7135 CHARLOTTE PIKE
SUITE 100
NASHVILLE TN 37209

Defendant

SUMMONS IN CIVIL ACTION

TO: PRIME FLIGHT AVIATION SERVICES INC

***YOU ARE NOTIFIED THAT THE ABOVE NAMED PLAINTIFF HAS COMMENCED AN
ACTION AGAINST YOU.***

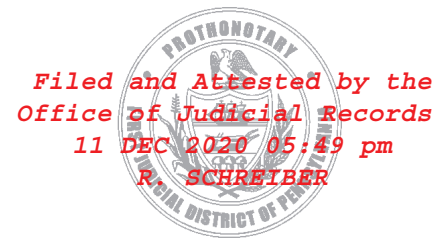
DATE: 10/23/2020

Prothonotary/Clerk Civil Division

BY: _____
Deputy



Case ID: 201001749
Case ID: 201001749



LAW OFFICE OF JOHN NEUMANN HICKEY
BY: JOHN NEUMANN HICKEY
ATTORNEY I.D. NUMBER 61896
20 WEST FRONT STREET
MEDIA PA 19063
(610) 891-8883

Attorney for Plaintiff

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
CIVIL DIVISION

KATHLEEN MAKOWKA	:	
	:	
Plaintiff	:	No: 201001749
	:	
V.	:	
	:	
PRIME FLIGHT AVIATION SERVICES,	:	
INC.	:	
	:	
Defendant	:	

RETURN/AFFIDAVIT OF SERVICE OF WRIT OF SUMMONS UPON DEFENDANT

I, John Neumann Hickey, do hereby verify and say that I did serve the defendant, and out-of-state Corporation, with the Writ of Summons issued in the captioned case by United States Certified Mail Return Receipt Requested on October 26, 2020 pursuant to Pennsylvania Rules of Civil Procedure 404 and 403. The certified mail was returned to me marked "Refused". See Exhibit A.

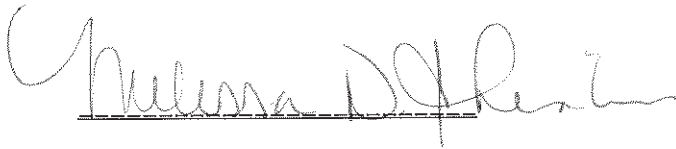
Thereafter I mailed the Writ of Summons to the defendant and its address of 7135 Charlotte Pike Suite 100 Nashville, TN 37209 by ordinary United States Mail as is permitted pursuant to Pennsylvania Rule of Civil Procedure 403. The Writ of Summons was mailed in an envelope that contained my return address. It has been 15 days since the mailing of the Writ of Summons by ordinary mail and the ordinary mail has not been returned to me. Service of the Writ of Summons upon this defendant is now complete pursuant to Pennsylvania Rule of Civil Procedure 403.

Respectfully Submitted,



JOHN NEUMANN HICKEY

Date: 12/11/20



NOTARY PUBLIC

Commonwealth of Pennsylvania - Notary Seal
MELISSA D SHINKLE - Notary Public
Delaware County
My Commission Expires Jul 21, 2024
Commission Number 1243547

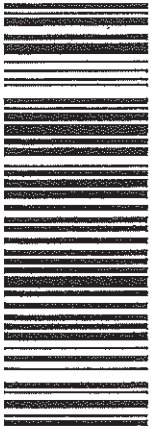
Exhibit A

LAW OFFICE OF
JOHN NEUMANN HICKEY

20 WEST FRONT STREET
MEDIA, PA 19063

RETURN REQUESTED
UNDELIVERED

RETURN REQUESTED
UNDELIVERED



7020 0090 0000 4847 7778



1000



37209

U.S. POSTAGE
FCM LETTER
MEDIA, PA
19063
OCT 26, 20
AMOUNT

\$6.95

R2305P151275-7

Dan Buscaro
President & CEO

Prime Flight
7135 Charlot
Suite 100
Nashville, TN

Adrian-Garcia, Inc.

NIXIE

372

DE 1

0011/03/20

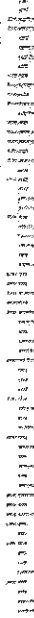
RETURN TO SENDER
REFUSED
UNABLE TO FORWARD


REF

SC: 19063330620

*0197-03424-26-42

STANDARD



<div style="background-color: black; color: white; padding: 2px; font-weight: bold; font-size: 0.8em;">CERTIFIED MAIL®</div>	<div style="background-color: black; color: white; padding: 2px; font-weight: bold; font-size: 0.8em;">COMPLETE THIS SECTION ON DELIVERY</div>						
<p>SENDER: COMPLETE THIS SECTION</p> <p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="font-size: 1.2em; font-weight: bold;">DAN BRUSCARO</p> <p style="font-size: 1.2em; font-weight: bold;">PRESIDENT ICEO</p> <p style="font-size: 1.2em; font-weight: bold;">PRIME FLIGHT AVIATION SVC. INC</p> <p style="font-size: 1.2em; font-weight: bold;">7135 CHARLOTTE PK ST100</p> <p style="font-size: 1.2em; font-weight: bold;">NASHVILLE TN 37209</p> <div style="text-align: center;">  <p style="font-weight: bold; font-size: 1.1em;">9590 9403 0713 5196 1621 54</p> </div>	<p>COMPLETE THIS SECTION ON DELIVERY</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p>A. Signature</p> <p style="font-size: 1.5em; font-weight: bold; text-align: center;">X</p> <p>B. Received by (Printed Name)</p> </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p> </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> </td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> </td> </tr> </table> <p style="text-align: right; padding-top: 10px;"> ed Mail Restricted Delivery \$5000 </p>	<p>A. Signature</p> <p style="font-size: 1.5em; font-weight: bold; text-align: center;">X</p> <p>B. Received by (Printed Name)</p>	<p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p>	<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>A. Signature</p> <p style="font-size: 1.5em; font-weight: bold; text-align: center;">X</p> <p>B. Received by (Printed Name)</p>	<p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>						
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>							
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p>	<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>						
<p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; font-weight: bold;">7020 0090 0000 4847 7778</p>							

CERTIFICATE OF SERVICE

I, John Neumann Hickey, Esquire, do hereby certify that a true and correct copy of the forgoing pleading was served upon all parties via REGULAR MAIL POSTAGE PAID:

Dan Bruscaro
President CEO
Prime Flight Aviation Service Inc.
7135 Charlotte Pike
Suite 100
Nashville TN 37209

Date: 12/11/20



JOHN NEUMANN HICKEY, ESQUIRE
Attorney for Plaintiff

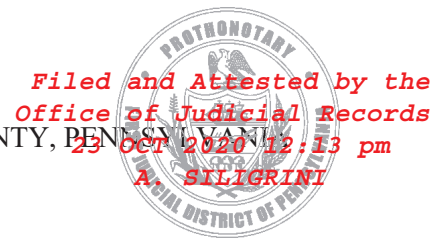
Court of Common Pleas of Philadelphia County
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

OCTOBER 2020**001749**

E-Filing Number: 2010041368

PLAINTIFF'S NAME KATHLEEN MAKOWKA		DEFENDANT'S NAME PRIME FLIGHT AVIATION SERVICES, INC.	
PLAINTIFF'S ADDRESS 113 SHILLING AVE MALVERN PA 19355		DEFENDANT'S ADDRESS 7135 CHARLOTTE PIKE SUITE 100 NASHVILLE TN 37209	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 1	COMMENCEMENT OF ACTION <input type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input checked="" type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other: _____		
CASE TYPE AND CODE 20 - PERSONAL INJURY - OTHER			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
		FILED PRO PROTHY OCT 23 2020 A. SILIGRINI	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>KATHLEEN MAKOWKA</u> Papers may be served at the address set forth below.			
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY JOHN N. HICKEY		ADDRESS 20 W FRONT ST MEDIA PA 19063	
PHONE NUMBER (610) 891-8883	FAX NUMBER (610) 891-8923		
SUPREME COURT IDENTIFICATION NO. 61896		E-MAIL ADDRESS jnh@hickeylaw.net	
SIGNATURE OF FILING ATTORNEY OR PARTY JOHN HICKEY		DATE SUBMITTED Friday, October 23, 2020, 12:13 pm	



IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

KATHLEEN MAKOWKA
113 SHILLING AVE
MALVERN PA 19355

Plaintiff

JURY TRIAL DEMANDED
NO:

v.
PRIME FLIGHT AVIATION SERVICES, INC
7135 CHARLOTTE PIKE
SUITE 100
NASHVILLE TN 37209
Defendant

PRAECIPE FOR WRIT OF SUMMONS

TO THE PROTHONOTARY:

Issue summons in civil action in the above case and forward to
☐ Sheriff or ☒ Attorney

John Neumann Hickey

Signature of Attorney / Pro Se

Name: JOHN NEUMANN HICKEY

Address: 20 WEST FRONT STREET
MEDIA, PA 19063

Telephone: (610) 891-8883

Date: 10/23/2020

Attorney Supreme Court ID Number: 61896

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW

KATHLEEN MAKOWKA
113 SHILLING AVE
MALVERN PA 19355

Plaintiff

JURY TRIAL DEMANDED
NO:

v.

PRIME FLIGHT AVIATION SERVICES, INC
7135 CHARLOTTE PIKE
SUITE 100
NASHVILLE TN 37209

Defendant

SUMMONS IN CIVIL ACTION

TO: PRIME FLIGHT AVIATION SERVICES INC

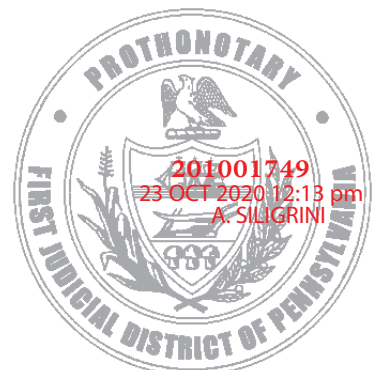
***YOU ARE NOTIFIED THAT THE ABOVE NAMED PLAINTIFF HAS COMMENCED AN
ACTION AGAINST YOU.***

DATE: 10/23/2020

Prothonotary/Clerk Civil Division

BY:

Deputy



Case ID: 201001749

EXHIBIT B



Department of State: Division of Corporations

[Allowable Characters](#)[HOME](#)

Entity Details

THIS IS NOT A STATEMENT OF GOOD STANDING

File Number:	6507360	Incorporation Date / Formation Date:	9/11/2017 (mm/dd/yyyy)
Entity Name:	PRIMEFLIGHT AVIATION SERVICES, INC.		
Entity Kind:	Corporation	Entity Type:	General
Residency:	Domestic	State:	DELAWARE

REGISTERED AGENT INFORMATION

Name:	COGENCY GLOBAL INC.		
Address:	850 NEW BURTON ROAD SUITE 201		
City:	DOVER	County:	Kent
State:	DE	Postal Code:	19904
Phone:	800-483-1140		

Additional Information is available for a fee. You can retrieve Status for a fee of \$10.00 or more detailed information including current franchise tax assessment, current filing history and more for a fee of \$20.00.

Would you like ☐ Status ☐ Status, Tax & History Information

For help on a particular field click on the Field Tag to take you to the help area.

[site map](#) | [privacy](#) | [about this site](#) | [contact us](#) | [translate](#) | [delaware.gov](#)

TEXAS SECRETARY of STATE
RUTH R. HUGHS**BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY**

Filing Number: 802846945 **Entity Type:** Foreign For-Profit Corporation
Original Date of Filing: October 26, 2017 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 32065252002 **FEIN:** 822808194

Name: PrimeFlight Aviation Services, Inc.
Address: Three Sugar Creek Center Boulevard, Suite 450
Sugar Land, TX 77478 USA
Fictitious Name: PrimeFlight of DE, Inc.
Jurisdiction: DE, USA
Foreign Formation Date: September 11, 2017

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
Name		Address		Inactive Date	
COGENCY GLOBAL INC.		1601 Elm St., Suite 4360 Dallas, TX 75201 USA			

[Order](#)[Return to Search](#)Instructions:

- 🔴 To place an order for additional information about a filing press the 'Order' button.

EXHIBIT C



Join now

Sign in

Kate Makowka



Kate Makowka

Senior Marketer at Ipsen

Greater Philadelphia Area · 500+ connections



Ipsen

West Chester University of
Pennsylvania

Sign in to Connect

About

Pharmaceutical Marketing Executive with 20+ years of experience in marketing, commercial operations, sales and sales management, as well as training. Proven performance in both product launch and product expansion. Highly skilled leader with a proven track record for creating award winning teams.

Activity

**Pretty awesome!**

Liked by Kate Makowka

**Cancer knows no boundaries and so many of us have been personally touched by it, myself included. In 2020, about 1.8 million people in the United...**

Liked by Kate Makowka

**I am proud to recognize and celebrate World Cancer Day, as it reinvigorates our fight against the horrific diseases that still plague our planet...**

Liked by Kate Makowka



Join now

Sign in

Kate Makowka

Experience



Senior Marketing Leader

Ipsen

Feb 2019 - Present · 2 years 1 month

Boston, Massachusetts

Senior Marketing Leader, Managing the Portfolio of Products for Value & Access



Senior Marketing Executive, VP

DL Technology

Jan 2017 - Mar 2018 · 1 year 3 months

Greater Philadelphia Area



Corporate Projects, Commercial Lead

Otsuka Pharmaceutical Companies (U.S.)

2013 - 2017 · 4 years

Princeton New Jersey



Senior Director, EpiPen Brand

Mylan Pharmaceuticals

2012 - 2013 · 1 year

Basking Ridge, NJ

Responsible for leading the strategic and tactical plan and programs developed by the brand team, including budget and forecast.



Endo Pharmaceuticals

4 years

Brand Lead, Voltaren Gel

2011 - 2012 · 1 year

Chadds Ford, PA

Senior Manager, Customer Centric Marketing

2010 - 2011 · 1 year

Senior Product Manager, FROVA Brand Team

Jul 2008 - Dec 2010 · 2 years 6 months

Circle of Excellence Award Recipient - Marketer of the Year



Join now

Sign in

Kate Makowka

Senior Product Manager

2008 - 2009 · 1 year

Chadds Ford, PA

HCP and Field Sales Team Lead.

**Wyeth**

7 years 7 months

Product Manager II, Premarin Brand Team

Jan 2008 - Jun 2008 · 6 months

Product Manager, Lybrel Brand Team

Mar 2006 - Jan 2008 · 1 year 11 months

2007 Wyeth President's Leadership Award Recipient

District Manager, Women's Health Care Division

Dec 2003 - Mar 2006 · 2 years 4 months

Regional Achievement Award

Training Manager, WHC/Specialty Divisions

Dec 2000 - Dec 2003 · 3 years 1 month

**Training Manager, Women's Health Care Division**

Organon Pharmaceuticals

1999 - 2000 · 1 year

**Ortho-McNeil Pharmaceutical**

3 years 7 months

District Product Manager, Terazol

Jul 1998 - Dec 1999 · 1 year 6 months

Territory Sales / Hospital Representative

Jun 1996 - Dec 1999 · 3 years 7 months

1997 Rookie of the Year for the Northeast Region

Regional Trainer, NE Region

Mar 1997 - Dec 1998 · 1 year 10 months

[Join now](#)[Sign in](#)

Kate Makowka

Communications marketing

1989 - 1994

Groups



Career Consulting by Andrea

-

Recommendations

A preview of what LinkedIn members have to say about Kate:

- " Kate and I worked together over 5 years and 3 brands, and the word "dynamo" only begins to describe her as a leader. Kate fearlessly tackles innovative new frontiers -- such as planning and executing the kind of digital marketing and advertising strategies we worked on together -- and expertly manages brand development and launch like the pro she is. Kate's command over cross-functional team-building is rooted in learning the strengths of her team members and empowering and entrusting them to do what's best to achieve results...and decisively shifting responsibilities if the situation requires it. Kate's instincts are uncannily on-point, and she knows how to communicate through those instincts to get what she wants from her team. I'd work with Kate again in a heartbeat. She's a total winner.
- " I have had the pleasure of working with Kate Makowka over the past few years on a variety of projects and have found her knowledge of marketing and project management to be very well rounded. She balances strategic initiatives and tactical realities so that both internal and external customer needs are met. She expertly develops and follows through on project planning and timelines so that she can successfully manage simultaneous, complex projects serving multiple audiences. Above all, Kate is a real pleasure to work with and is a true team player.

4 people have recommended Kate

[Sign in to view](#)

View Kate's full profile



See who you know in common